

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

ORDER

This matter is before the Court on the Magistrate Judge's Report and Recommendation [DE 36], issued on March 27, 2008. The Report and Recommendation addresses the Clerk's Notice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure [DE 34], which advised the Plaintiff that his case could be dismissed without prejudice for failure to complete process. The magistrate judge recommends a dismissal with prejudice because the Plaintiff has failed to prosecute his claim pursuant to Federal Rule of Civil Procedure 41(b). On April 28, 2008, the Court notified the Plaintiff that the Report and Recommendation would be adopted and the case dismissed with prejudice if the Plaintiff did not inform the Court within ten days that he intended to further prosecute his claims against these Defendants.

The Plaintiff having failed to inform the Court that he intends to further prosecute his claims, the Court now ACCEPTS and ADOPTS the Magistrate Judge's Report and Recommendation [DE 36] in full. Accordingly, the case is DISMISSED WITH PREJUDICE.

SO ORDERED on May 13, 2008.

s/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT